

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BIOPURE HEALING PRODUCTS, LLC,

Plaintiff,

v.

WELLNX LIFE SCIENCES, INC. and
PLATINUM US DISTRIBUTION, INC. d/b/a
WELLNX LIFE SCIENCES, USA,

Defendants.

NO. C17-470-RSL

ORDER GRANTING PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION

The Court, having considered all materials submitted in support of and in response to plaintiff's Motion for Preliminary Injunction, the Report and Recommendation of the Honorable James P. Donohue, the relevant law, and the balance of the record, finds that plaintiff BioPure Healing Products, LLC has shown that it is likely to succeed on the merits of its trademark infringement and other related claims, that it will suffer irreparable harm if an injunction is not granted, that the balance of equities is in favor of plaintiff and that the public interest supports an injunction.


Accordingly, it is hereby ORDERED that plaintiff's Motion for Preliminary Injunction is GRANTED, and that plaintiff is granted the following relief to take effect thirty (30) days after the date of this Order:

1 Defendants, their respective principals, partners, franchisees, agents, employees,
2 licensees, affiliates, distributors, producers, attorneys and representatives and all of those in
3 privity with or acting under the direction or control of any of them, are preliminarily enjoined
4 and restrained from:

5 1. Using "BioPure" or any term or mark confusingly similar to "BioPure", in
6 connection with the advertisement, promotion, distribution, offering for sale or selling of any
7 goods or services involving or relating to tea, including without limitation the use of "BioPure"
8 in connection with the green tea ingredient of SlimQuick Pure products;

9 2. Performing any acts or using any trademarks, names, words, images or phrases
10 that are likely to cause confusion, to cause mistake, to deceive or otherwise mislead the trade or
11 public into believing that plaintiff or any authorized user of the BIOPURE Mark and defendants
12 are one and the same or are in some way connected or that plaintiff is a sponsor of defendants or
13 that the goods or services of defendants originate with plaintiff or any authorized user of the
14 BIOPURE Mark or are likely to lead the trade or public to associate defendants with plaintiff.

15 DATED this 24th ^{Aug.} day of ~~July~~, 2017.

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17 ROBERT S. LASNIK
18 United States District Judge
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